

Appln. No. : 10/035,389  
Filed : December 28, 2001

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-41 (canceled)

42 (currently amended): A method for treating an intravascular occlusion, comprising:  
delivering a catheter having a proximal end and a distal end and a lumen  
extending therethrough into a blood vessel to a site near ~~said~~ the intravascular occlusion,  
the catheter having an occlusive device on the distal end;

actuating ~~said~~ the occlusive device at a location distal to ~~said~~ the intravascular  
occlusion to at least partially occlude blood flow through ~~said~~ the vessel; and

delivering a drug-containing fluid ~~injected~~ through the lumen of ~~said~~ the catheter  
and out through at least one hole in a proximal face of the occlusive device such that the  
fluid is delivered across said occlusion in a distal to proximal direction.

43 (currently amended): The method of Claim 42, wherein the drug-containing fluid is  
delivered through a plurality of holes in the ~~catheter proximal to~~ proximal face of the occlusive  
device.

44 (original): The method of Claim 42, wherein the occlusive device is a balloon.

45 (canceled)

46 (canceled)

47 (original): The method of Claim 42, wherein the drug-containing fluid is delivered at  
a flow rate of between about 0.1 to 3 cc/second.

48 (new): A method for treating an intravascular occlusion, comprising:

delivering a catheter having a proximal end and a distal end and a lumen  
extending therethrough into a blood vessel to a site near the intravascular occlusion, the  
catheter having a balloon on the distal end;

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inflating the balloon at a location distal to the intravascular occlusion to at least partially occlude blood flow through the vessel; and

delivering a drug-containing fluid through a plurality of holes in a proximal face of the balloon and across the intravascular occlusion in a distal to proximal direction, the drug being injected through the lumen of the catheter.

49 (new): The method of Claim 48, wherein the drug-containing fluid delivered through the lumen is used to inflate the balloon.

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## **SUMMARY OF INTERVIEW**

### Identification of Claims Discussed

Claims 1, 9, 26 and 36.

### Identification of Prior Art Discussed

- 1) U.S. Patent No. to 5,462,529 to Simpson et al.
- 2) U.S. Patent No. 5,163,905 to Don Michael.

### Principal Arguments and Other Matters

Applicant's representative and the Examiners discussed how the invention, as defined in claim 1, is distinguishable over Simpson et al. Applicant's representative explained that claim 1 is directed to a method wherein the drug-containing fluid is infused from a catheter to a location proximal to an occlusive device (e.g., balloon). The fluid is allowed to remain at the treatment site for a period of time such that the drug may act on the blood vessel. The fluid and loose particles (if any) are then aspirated from the same catheter that was used to deliver the fluid. Furthermore, the catheter is movable with respect to the occlusive device for facilitating drug delivery and aspiration. Applicant's representative and the Examiners discussed language to clarify these features for distinguishing over the cited references. Claims 9 and 26 were also discussed and additional distinguishing features were noted. With respect to claim 36, Applicant and Examiner discussed how the catheter of Don Michael is in the state of crossing the intravascular occlusion.

### Results of Interview

Various approaches for amending the claims were discussed. No specific agreement was reached.